

consideration of the bill (H.R. 5) to amend the National Labor Relations Act and the Railway Labor Act to prevent discrimination based on participation in labor disputes. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and to the amendments made in order by this resolution and shall not exceed two hours, with 60 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor, 30 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Energy and Commerce, and 30 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works and Transportation. After general debate the bill shall be considered for amendment under the five-minute rule and shall be considered as read. The amendments recommended by the Committee on Education and Labor now printed in the bill shall be considered as adopted in the House and in the Committee of the Whole. No further amendment shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each amendment may be offered only in the order printed, may be offered only by the named proponent or a designee, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment. Points of order against the amendment printed in the report to be offered by Representative Ridge of Pennsylvania for failure to comply with clause 7 of rule XVI are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

When said resolution was considered.

After debate,

On motion of Mr. MOAKLEY, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. FIELDS of Louisiana, announced that the yeas had it.

Mr. DREIER objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared

Yeas	244
Nays	176

¶68.5 [Roll No. 221]

YEAS—244

Abercrombie	Bevill	Cantwell
Ackerman	Billbray	Cardin
Andrews (ME)	Bishop	Carr
Andrews (NJ)	Blackwell	Chapman
Andrews (TX)	Bonior	Clay
Applegate	Borski	Clayton
Bacchus (FL)	Boucher	Clement
Baessler	Brewster	Clyburn
Barca	Brooks	Coleman
Barcia	Browder	Collins (IL)
Barlow	Brown (CA)	Collins (MI)
Barrett (WI)	Brown (FL)	Condit
Becerra	Brown (OH)	Conyers
Beilenson	Bryant	Cooper
Berman	Byrne	Coppersmith

Costello	Klein	Rahall
Coyne	Klink	Rangel
Cramer	Kopetski	Reed
Danner	Kreidler	Reynolds
Darden	LaFalce	Richardson
de la Garza	Lambert	Roemer
Deal	Lancaster	Rose
DeFazio	Lantos	Rowland
DeLauro	LaRocco	Roybal-Allard
Dellums	Laughlin	Rush
Derrick	Lehman	Sabo
Deutsch	Levin	Sanders
Dicks	Lewis (GA)	Sangmeister
Dingell	Lipinski	Sarpalio
Dixon	Long	Sawyer
Dooley	Lowe	Schenck
Durbin	Maloney	Schroeder
Edwards (CA)	Mann	Schumer
Edwards (TX)	Manton	Scott
English (AZ)	Margolies-	Serrano
English (OK)	Mezvinsky	Sharp
Eshoo	Markey	Shepherd
Evans	Martinez	Sisisky
Fazio	Matsui	Skaggs
Fields (LA)	Mazzoli	Skelton
Filner	McCloskey	Slattery
Fingerhut	McCurdy	Slaughter
Flake	McDermott	Spratt
Foglietta	McHale	Stark
Ford (MI)	McKinney	Stenholm
Ford (TN)	McNulty	Stokes
Frost	Meehan	Strickland
Furse	Meek	Studds
Gejdenson	Menendez	Stupak
Gephardt	Miller (CA)	Swett
Geren	Mineta	Swift
Gibbons	Minge	Synar
Glickman	Mink	Tanner
Gonzalez	Moakley	Tejeda
Gordon	Mollohan	Thompson
Green	Montgomery	Thornton
Gutierrez	Moran	Thurman
Hall (OH)	Murphy	Torres
Hamburg	Murtha	Torricelli
Hamilton	Nadler	Towns
Harman	Natcher	Traficant
Hastings	Neal (MA)	Tucker
Hefner	Neal (NC)	Unsoeld
Hinchey	Oberstar	Valentine
Hoagland	Obey	Velazquez
Hochbrueckner	Olver	Vento
Holden	Orton	Visclosky
Hoyer	Owens	Volkmer
Hughes	Pallone	Washington
Hutto	Parker	Waters
Inslee	Pastor	Watt
Jefferson	Payne (NJ)	Waxman
Johnson (GA)	Payne (VA)	Wheat
Johnson (SD)	Pelosi	Whitten
Johnson, E.B.	Penny	Williams
Johnston	Peterson (FL)	Wilson
Kanjorski	Peterson (MN)	Wise
Kaptur	Pickett	Woolsey
Kennedy	Pickle	Wyden
Kennelly	Pomeroy	Wynn
Kildee	Poshard	Yates
Klecza	Price (NC)	

NAYS—176

Allard	Crapo	Greenwood
Archer	Cunningham	Gunderson
Army	DeLay	Hall (TX)
Bachus (AL)	Diaz-Balart	Hancock
Baker (CA)	Dickey	Hansen
Baker (LA)	Doolittle	Hastert
Ballenger	Dornan	Hayes
Barrett (NE)	Dreier	Hefley
Bartlett	Duncan	Herger
Bateman	Dunn	Hobson
Bentley	Emerson	Hoekstra
Bereuter	Everett	Hoke
Bliley	Ewing	Horn
Blute	Fawell	Houghton
Boehlert	Fields (TX)	Huffington
Boehner	Fish	Hunter
Bonilla	Fowler	Hutchinson
Bunning	Franks (CT)	Hyde
Burton	Franks (NJ)	Inglis
Buyer	Gallely	Inhofe
Callahan	Gallo	Istook
Calvert	Gekas	Jacobs
Camp	Gilchrist	Johnson (CT)
Canady	Gillmor	Johnson, Sam
Coleman	Gilman	Kasich
Collins (IL)	Gingrich	Kim
Collins (MI)	Coble	King
Condit	Collins (GA)	Kingston
Conyers	Combest	Klug
Cooper	Cox	Knollenberg
Coppersmith	Crane	Kolbe

Kyl	Oxley	Skeen
Lazio	Packard	Smith (MI)
Leach	Paxon	Smith (NJ)
Levy	Petri	Smith (OR)
Lewis (CA)	Pombo	Smith (TX)
Lewis (FL)	Porter	Snowe
Lightfoot	Portman	Spence
Linder	Pryce (OH)	Stearns
Livingston	Quillen	Stump
Machtley	Quinn	Sundquist
Manzullo	Ramstad	Talent
McCandless	Ravenel	Tauzin
McCollum	Regula	Taylor (MS)
McCrery	Ridge	Taylor (NC)
McDade	Roberts	Thomas (CA)
McHugh	Rogers	Thomas (WY)
McInnis	Rohrabacher	Torkildsen
McKeon	Ros-Lehtinen	Upton
McMillan	Roth	Vucanovich
Meyers	Roukema	Walker
Mica	Royce	Walsh
Michel	Saxton	Weldon
Miller (FL)	Schaefer	Wolf
Molinar	Schiff	Young (AK)
Moorhead	Sensenbrenner	Young (FL)
Morella	Shaw	Zeliff
Myers	Shays	Zimmer
Nussle	Shuster	

NOT VOTING—13

Barton	Hilliard	Santorum
Bilirakis	Lloyd	Smith (IA)
Engel	Mfume	Solomon
Frank (MA)	Ortiz	
Henry	Rostenkowski	

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶68.6 STRIKERS REPLACEMENT PROHIBITION

The SPEAKER pro tempore, Mr. FIELDS of Louisiana, pursuant to House Resolution 195 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 5) to amend the National Labor Relations Act and the Railway Labor Act to prevent discrimination based on participation in labor disputes.

The SPEAKER pro tempore, Mr. FIELDS of Louisiana, by unanimous consent, designated Mr. LEVIN as Chairman of the Committee of the Whole; and after some time spent therein,

¶68.7 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. EDWARDS of Texas:

Page 4, line 2, strike "organization" and all that follows through "representation proceeding," on line 11 and insert "organization was the certified or recognized exclusive representative;"

It was decided in the

Yeas	94
negative	339

¶68.8 [Roll No. 222]

AYES—94

Allard	Boucher	Derrick
Applegate	Brewster	Dickey
Bacchus (FL)	Browder	Dooley
Baessler	Buyer	Doolittle
Baker (LA)	Clement	Duncan
Ballenger	Collins (GA)	Edwards (TX)
Bentley	Combest	English (OK)
Bevill	Condit	Fawell
Billbray	Cramer	Franks (NJ)
Bilirakis	Darden	Geren
Blute	Deal	Hall (TX)
Bonilla	DeLay	Hayes

Hefley
Hefner
Herger
Horn
Houghton
Huffington
Hunter
Hutchinson
Hutto
Hyde
Ingilis
Inhofe
Inslee
Istook
Johnson (CT)
Johnson (GA)
Johnson (SD)
Kolbe
Lambert
Laughlin

Lewis (FL)
Livingston
McCollum
McCurdy
Minge
Montgomery
Neal (NC)
Ortiz
Parker
Payne (VA)
Penny
Pickle
Price (NC)
Regula
Rohrabacher
Rose
Rowland
Santorum
Schroeder
Shaw

Sisisky
Skaggs
Slattery
Smith (MI)
Smith (OR)
Spence
Spratt
Stenholm
Tanner
Tauzin
Taylor (MS)
Tejeda
Thomas (WY)
Thornton
Thurman
Valentine
Whitten
Young (FL)

NOES—339

Abercrombie
Ackerman
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Archer
Arney
Bachus (AL)
Baker (CA)
Barca
Barcia
Barlow
Barrett (NE)
Barrett (WI)
Bartlett
Bateman
Becerra
Beilenson
Bereuter
Berman
Bishop
Blackwell
Bliley
Boehlert
Boehner
Bonior
Borski
Brooks
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burton
Byrne
Callahan
Calvert
Camp
Canady
Cantwell
Cardin
Carr
Castle
Chapman
Clay
Clayton
Clinger
Clyburn
Coble
Coleman
Collins (IL)
Collins (MI)
Conyers
Cooper
Coppersmith
Costello
Cox
Coyne
Crane
Crapo
Cunningham
Danner
de la Garza
de Lugo (VI)
DeFazio
DeLauro
Dellums
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Dornan
Dreier
Dunn
Durbin
Edwards (CA)
Emerson

Engel
English (AZ)
Eshoo
Evans
Everett
Ewing
Faleomavaega (AS)
Fazio
Fields (LA)
Fields (TX)
Filner
Fingerhut
Fish
Flake
Foglietta
Ford (MI)
Ford (TN)
Fowler
Frank (MA)
Franks (CT)
Frost
Furse
Gallegly
Gallo
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gingrich
Glickman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Grams
Grandy
Green
Greenwood
Gunderson
Gutierrez
Hall (OH)
Hamburg
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings
Hilliard
Hinchey
Hoagland
Hobson
Hochbrueckner
Hoekstra
Hoke
Holden
Hoyer
Hughes
Jacobs
Jefferson
Johnson, E. B.
Johnson, Sam
Johnston
Kanjorski
Kaptur
Kasich
Kennedy
Kennelly
Kildee
Kim
King
Kingston
Klecza

Klein
Klink
Klug
Knollenberg
Kopetski
Kreidler
Kyl
LaFalce
Lancaster
Lantos
LaRocco
Lazio
Leach
Lehman
Levin
Levy
Lewis (CA)
Lewis (GA)
Lightfoot
Linder
Lipinski
Lloyd
Long
Lowey
Machtley
Maloney
Mann
Manton
Manzullo
Margolies-Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McCandless
McCloskey
McCrery
McDade
McDermott
McHale
McHugh
McInnis
McKeon
McKinney
McMillan
McNulty
Meehan
Meek
Menendez
Meyers
Mfume
Mica
Michel
Miller (CA)
Miller (FL)
Mineta
Mink
Moakley
Molinari
Mollohan
Moorhead
Moran
Morella
Murphy
Murtha
Myers
Nadler
Natcher
Neal (MA)
Norton (DC)
Nussle
Oberstar
Obey
Oliver
Orton
Owens
Oxley

Packard
Pallone
Pastor
Paxon
Payne (NJ)
Pelosi
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Poshards
Pryce (OH)
Quillen
Quinn
Rahall
Ramstad
Ravenel
Reed
Reynolds
Richardson
Ridge
Roberts
Roemer
Rogers
Romero-Barcelo (PR)
Ros-Lehtinen
Rostenkowski
Roth
Roukema
Roybal-Allard
Royce

Rush
Sabo
Sanders
Sangmeister
Sarpalius
Sawyer
Saxton
Schaefer
Schenck
Schiff
Schumer
Scott
Sensenbrenner
Serrano
Sharp
Shays
Shepherd
Shuster
Skeen
Skeltton
Slaughter
Smith (IA)
Smith (NJ)
Smith (TX)
Snowe
Stark
Stearns
Strickland
Studds
Stump
Stupak
Sundquist
Sweet
Swift
Synar
Talent

Taylor (NC)
Thomas (CA)
Thompson
Torkildsen
Torres
Torricelli
Towns
Traficant
Tucker
Underwood (GU)
Unsoeld
Upton
Velazquez
Vento
Visclosky
Volkmer
Vucanovich
Walker
Walsh
Washington
Waters
Watt
Waxman
Weldon
Wheat
Williams
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (AK)
Zeliff
Zimmer

NOT VOTING—5

Barton
Henry
Rangel
Solomon
Stokes

So the amendment was not agreed to.
After some further time,

168.9 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment in the nature of a substitute submitted by Mr. RIDGE:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Collective Bargaining Protection Act of 1993".

SEC. 2. RESTRICTION ON HIRING OF REPLACEMENT EMPLOYEES DURING ECONOMIC STRIKES.

Section 8(a) of the National Labor Relations Act (29 U.S.C. 158(a)) is amended—

(1) by striking the period at the end of paragraph (5) and inserting "; or"; and

(2) by adding at the end the following new paragraph:

"(6) to offer or grant the status of permanent replacement to an individual for performing bargaining unit work for the employer, during an economic strike between the employer and the labor organization that is the certified or recognized exclusive representative involved in the strike, for a period of 10 weeks, in the aggregate, on or after the date of hiring the first replacement employee with respect to each bargaining agreement between the employer and such organization."

SEC. 3. SECRET BALLOT.

Section 8(b) of the National Labor Relations Act (29 U.S.C. 158(b)) is amended—

(1) by striking the "and" at the end of paragraph (6);

(2) by striking the period at the end of paragraph (7) and inserting "; and"; and

(3) by adding at the end the following:

"(8) to call for an economic strike unless a referendum is conducted by secret ballot directed and certified by the Board with a majority of the employees in the bargaining units affected voting to conduct such a strike."

SEC. 4. ELECTION PERIOD.

The second sentence of section 9(c)(3) of the National Labor Relations Act (29 U.S.C.

159(c)(3)) is amended by striking "twelve months" and inserting "eighteen months".

SEC. 5. PREVENTION OF UNFAIR LABOR PRACTICES.

Section 10 of the National Labor Relations Act (29 U.S.C. 160) is amended by adding at the end the following:

"(n) Whenever, during an economic strike in which replacement employees are hired, it is charged that any person has engaged in an unfair labor practice under subsection (a) or (b) of section 8 and such charge has been filed before an employer hires a replacement employee, the preliminary investigation of such charge shall be given priority over all other cases except cases of like character in the office where it is filed or to which it is referred. If, after such investigation, the officer or regional director to whom the matter was referred has reasonable cause to believe such charge is true, such officer or director shall issue a complaint before the expiration of the 10-week period referred to in section 8(a)(6)."

SEC. 6. FUNCTIONS OF THE SERVICE.

Subsection (b) of section 203 of the Labor Management Relations Act, 1947, is amended—

(1) by inserting "(1)" after "(b)"; and

(2) by adding at the end the following:
"(2) In any economic strike where the employer has hired a replacement employee and such strike affects commerce, the service shall proffer its services to the parties to the strike."

SEC. 7. PREVENTION OF DISCRIMINATION DURING AND AT THE CONCLUSION OF RAILWAY LABOR DISPUTES.

Paragraph Four of section 2 of the Railway Labor Act (45 U.S.C. 152) is amended—

(1) by inserting "(a)" after "Fourth"; and

(2) by adding at the end of the following:

"(b) No carrier, or officer or agent of the carrier shall offer, or grant, the status of a permanent replacement employee to an individual for performing work in craft or class for the carrier during a dispute involving the craft or class and which is between the labor organization that is acting as the collective bargaining representative involved in the dispute for a 10-week period beginning on the date of the hiring of the first such individual."

It was decided in the { Yeas 58
negative Nays 373

168.10 [Roll No. 223]
AYES—58

Allard	Gunderson	Rogers
Bachus (AL)	Hansen	Rohrabacher
Baker (LA)	Hayes	Ros-Lehtinen
Bentley	Hobson	Roth
Bereuter	Hoke	Roukema
Bilirakis	Horn	Santorum
Blute	Houghton	Schaefer
Buyer	Johnson (CT)	Schiff
Callahan	Klug	Shays
Clinger	Kolbe	Smith (MI)
Dickey	Lazio	Smith (OR)
Duncan	Lewis (FL)	Snowe
Ewing	Machtley	Spence
Fawell	Mazzoli	Taylor (NC)
Franks (NJ)	Meyers	Torkildsen
Gekas	Parker	Walsh
Goodling	Petri	Weldon
Goss	Ravenel	Young (FL)
Grandy	Regula	
Greenwood	Ridge	

NOES—373

Abercrombie	Ballenger	Berman
Ackerman	Barca	Bevill
Andrews (ME)	Barcia	Bilbray
Andrews (NJ)	Barlow	Bishop
Andrews (TX)	Barrett (NE)	Blackwell
Applegate	Barrett (WI)	Bliley
Archer	Bartlett	Boehlert
Arney	Barton	Boehner
Bacchus (FL)	Bateman	Bonilla
Baessler	Becerra	Bonior
Baker (CA)	Beilenson	Borski